



SECRETARY OF THE AIR FORCE  
WASHINGTON

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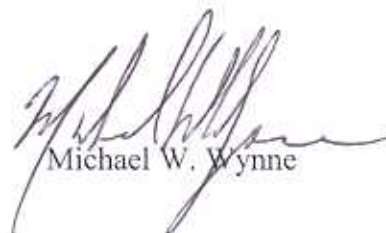
MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Data Rights and Acquisition Strategy

In the most recent report to Congress, the Air Force indicated that beginning in FY07, there would be increasing challenges in meeting the 10 USC Section 2466 50% limitation on contracting out depot-level maintenance. In addition, 10 USC Section 2464 clearly outlines the necessity for the Department of Defense to maintain a core logistics capability that is government-owned and government operated to ensure a ready and controlled source of technical competence to meet national defense contingency situations.

To address these challenges and respond to Title 10 statutes in this area, I am reinforcing current guidance in AFI 63-107, Integrated Product Support Planning and Assessment to ensure all viable sustainment options are considered early in the acquisition strategy process. A key element is appropriate access to the technical data, and rights in that data, necessary to support a source of repair decision during system development and demonstration. The competitive source selection process provides the Air Force the best opportunity to address its technical data requirements to preserve its core logistics capability and 50/50 trade-space, while at the same time brokering the best deal for the taxpayer in regard to future weapon systems sustainment programs. Therefore, I am directing that the acquisition of technical data and associated rights be addressed specifically in all Acquisition Strategy Plans, reviews, and associated planning documents for ACAT programs and subsequent source selections.

My points of contact are Jan Mulligan, AF/A4MM (703-697-1052) or Joseph McWilliams, SAF/AQXA (703-588-7110).

  
Michael W. Wynne